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April 5, 2019

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**BY ECF**

Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

Re: *Pearson Educ., Inc. et al. v. Doe I d/b/a Anything You Can Imagine, et al.*,  
No. 1:18-cv-07380 (PGG)

Dear Judge Gardephe:

We represent Defendants Flipping Pages, Inc. ("Flipping Pages"), Benjamin Barrett Roberts and Cameron Wesley Roberts ("Defendants") in the above-referenced action. On behalf of Defendants, and at the request of your law clerk, we write to supplement the letter we filed with the Court earlier this morning (ECF No. 120) and inform the Court of our efforts to confer with the Plaintiffs prior to their filing of their proposed judgment yesterday (ECF No. 119). At approximately 3:50pm yesterday (April 4), Plaintiffs provided us with notice that they had accepted our offer of judgment and sent us by email a proposed judgment. We immediately sought to confer with Plaintiffs prior to the filing of their proposed judgment because we were concerned that the proposed judgment differed from the offer of judgment. Accordingly, yesterday afternoon, the parties conferred by phone regarding the form of Plaintiffs' proposed judgment. The parties were unable to reach an agreement prior to Plaintiffs' filing of their proposed judgment. Plaintiffs filed their proposed judgment at 5:32pm, less than two hours after accepting our offer of judgment.

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Hon. Paul G. Gardephe

April 5, 2019

Page 2

We conferred with Plaintiffs prior to filing this letter in an attempt to submit a joint letter regarding the parties' efforts to confer, but unfortunately we were not able to agree on mutually acceptable language.

Respectfully submitted,

/s/ Benjamin S. Fischer

Benjamin S. Fischer

cc: Plaintiffs' counsel (by ECF)